

REMARKS

Applicant's attorney would like to thank the Examiner for the courtesy extended in granting telephone interviews on August 5th and August 6th 2008, during which agreement was reached regarding the claim amendments made herein.

Claims 1-9, 11, 14-18, 130-140 and 145-148 were previously pending. By this amendment, independent claims 14, 130, 131 and 147 have been amended. No new matter has been added. Claims 1-9, 11, 14-18, 130-140 and 145-148 remain pending in the application.

Double Patenting

Claims 1-9, 11, 14-18, 130-140 and 145-148 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims of U.S. Patent No. 7,208,122 ("Swager").

Claims 14, 130, 131 and 147 have been amended to clarify that the fluorescent polymer is in particulate form or is a luminescent polymer particle. Support for the amendments can be found at least at page 26, line 31, at page 33, lines 13-19 and at page 34, lines 28-30. It is now believed that the claims are patentable over the art of record.

Having dealt with all the objections raised by the Examiner, it is respectfully submitted that the present application, as amended, is now in condition for allowance. Entry of this amendment and allowance of the claims is earnestly solicited.

If the Examiner desires personal contact for further disposition of this case, the Examiner is invited to call the undersigned Attorney at 603.668.6560.

AMENDMENT AFTER FINAL OFFICE ACTION

Serial Number: 09/997,999

Filing Date: November 30, 2001

Title: Luminescent Polymer Particles

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In the event there are any additional fees due, please charge them to our Deposit Account No. 50-2121.

Respectfully submitted,
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